



PATENT
(Docket No. IN-5516)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Peter BETZ et al.

Serial No.: 09/914,545

Filed: August 30, 2001

For: Sol-Gel Coatings for Single-Layer or Multi-Layer Varnishes

Group Art Unit: 1762

Examiner: William P. Fletcher

I hereby certify that the attached correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. ER4626531 67US addressed to Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450 on the date shown below.

4-14-04
Date

Michael Morgan
Michael Morgan

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

The present application is copending with 09/914,937 and 10/049,532, and it was previously copending with 10/069,188, which issued as 6,713,559.

COPIES PROVIDED:

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [____], filed on [____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

04/16/2004 HBERHE 00000038 233425 09914545

01 FC:1806 180.00 DA

FOREIGN LANGUAGE DOCUMENTS

- ☒ There are no foreign language documents listed on Form PTO-1449.
- ☐ The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references.
- ☐ English language abstract for the following non-English references are enclosed.
- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☐ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☒ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☒ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Reg. No.: **42,906**



SIGNATURE OF ATTORNEY and DATE

Michael F. Morgan April 14, 2004
Type or print name of attorney

Tel. No.: (248) 948-2355

BASF Corporation
26701 Telegraph Road

P.O. Address

Southfield, Michigan 48034-2442

Customer No. 26922

FEE TRANSMITTAL

For FY 2004

Patent fees are subject to annual revision.

APR 14 2004

Application Number	09/914,545
Filing Date	August 30, 2001
First Named Inventor	Peter BETZ
Examiner Name	William P. Fletcher
Art Unit	1762
Attorney Docket No.	IN-5516
Express Mail Certificate	ER462653167US
Customer Number	26922

TOTAL AMOUNT OF PAYMENT**METHOD OF PAYMENT** (check all that apply)☒ Deposit Account: ☐ Credit Card ☐ Check

Deposit Account Number

23-3425

Deposit Account Name

BASF CORPORATION

The Director is authorized to: (check all that apply)

☒ Change fees indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity

Fee Code	Fee Description	
1001 740	Utility filing fee	\$
1002 340	Design filing fee	
1003 530	Plant filing fee	
1004 770	Reissue filing fee	
1005 160	Provisional filing fee	
SUBTOTAL (1)		\$

2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid

Total Claims 0 -20** = 0 x 18 = \$
Independent Claims 0 -3** = 0 x 84 = \$

Multiple Dependent 280 = \$

**Or number previously paid, if greater; For Reissues, see below

Large Entity

Fee Code	Fee (\$)	Fee Description
1202 18		Claims in excess of 20
1201 86		Independent claims in excess of 3
1203 290		Multiple dependent claims, if not paid
1204 86		**Reissue independent claims over original patent
1205 18		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

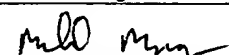
FEE CALCULATION (continued)**3. ADDITION FEES**

Large Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	
1051 130	Surcharge -late filing fee or oath	
1052 50	Surcharge-late provisional fee or Cover sheet	
1053 130	Non-English specification	
1812 2,520	For filing a request for ex parte reexamination	
1804 920*	Requesting publication of SIR prior to Examiner action	
1850 1,840*	Requesting publication of SIR after Examiner action	
1251 110	Extension for reply within first month	
1252 420	Extension for reply within second month	
1253 950	Extension for reply within third month	
1254 1,480	Extension for reply within fourth month	
1255 2,010	Extension for reply within fifth month	
1401 330	Notice of Appeal	
1402 330	Filing a brief in support of an appeal	
1403 290	Request for oral hearing	
1451 1,510	Petition to institute public use proceeding	
1452 110	Petition to revive-unavoidable	
1453 1,330	Petition to revive-unintentional	
1501 1,330	Utility issue fee (or reissue)	
1502 480	Design issue fee	
1503 640	Plant issue fee	
1460 130	Petitions to the Commissioner	
1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	Submission information Disclosure Stmt	180
8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	Request for Continued Examination (RCE)	
1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

Country	USA	Telephone	(248) 948-	Fax	(248) 948-2093
Name (print Type)	Michael Morgan	Registration No. (Attorney Agent)	42,906		
Signature		Date	April 14, 2004		



4-15-04

GP1762

S

PATENT
(Docket No. IN-5516)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Peter BETZ et al.

Serial No.: 09/914,545

Filed: August 30, 2001

For: Sol-Gel Coatings for Single-Layer or
Multi-Layer Varnishes

Group Art Unit: 1762

Examiner: William P. Fletcher

I hereby certify that the attached correspondence is being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. ER462653167US addressed to Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450 on the date shown below.

4-14-04

Date

Michael Morgan
Michael Morgan

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL SHEET

Enclosed are:	Pages
This Transmittal Page in duplicate	2
Fee Transmittal in duplicate	2
Information Disclosure Statement	3
PTO-1449	1
Cited References	

CONDITIONAL PETITION FOR EXTENSION OF TIME

Applicant believes that no extension of time is required. This conditional petition of time is being made, however, to provide for the possibility that applicants have inadvertently overlooked the need for a petition for extension of time. In this event, please charge Deposit Account 23-3425 the necessary extension of time fees. This document is submitted in duplicate.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Director - U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account 23-3425 any fees necessary for entry of any of the above listed documents. This document is submitted in duplicate.

Respectfully submitted,

Michael Morgan

Michael F. Morgan, Esq. (Reg. No. 42,906)

(248) 948-2355

BASF Corporation

26701 Telegraph Road

Southfield, MI 48034-2442

Date: 14 April 2004

FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-5516

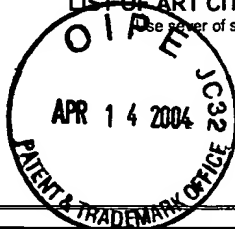
LIST OF ART CITED BY APPLICANT

(See cover of sheets if necessary)

In re Application of: Peter BETZ et al.

Serial No.: 09/914,545

Filed: August 30, 2001



U.S. PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,221,329	06/22/93	Tarr			04/20/92
	AB	5,412,016	05/02/95	Sharp			09/14/93
	AC	5,418,264	05/23/95	Obloh et al.			03/03/94
	AD	5,447,998	09/05/95	Grady et al.			04/08/94
	AE	5,670,257	09/23/97	Sakai et al.			12/07/95
	AF	5,760,128	06/02/98	Baltus et al.			12/27/93
	AG	5,989,687	11/23/99	Li			12/09/97
	AH	6,713,559	03/30/04	Armbrust et al.			02/21/02
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	CA2033530	91.07.13	CA				
	AM							
	AN							
	AO							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AP	Chemical Abstracts, vol. 84, no. 18, 3 May 1976, Columbus, Ohio; abstract no. 123526w, Page 94; XP002153878; abstract for JP50095388 (Toa Gosei Chem Ind Co., Ltd) 29 July 1975.
	AQ	U.S. Serial No. 09/914,937, filed 9-5-01, Betz et al., previously published as WO00/53683.
	AR	U.S. Serial No. 10/049,532, filed 2-12-02, Armbrust et al., previously published as WO01/16241.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant has modified this form by deleting the word "prior".